Reg. No. M. 1175

The Mysore Gazette

(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE, FRIDAY, JUNE 25, 1948.

NOTIFICATION.

No. 3515--L, C. dated Bangalore, the 25th June 1948.

Under the provisions of Rule 37 of the Mysore Legislative Rules, 1941, the Mysore Hindu Sagotra Marriage Validation Bill and the Mysore District Boards (Amendment) Bill which have been introduced in the current Session of the Legislative Council are hereby published.

By Order,
T. KEMPAIYA,
Secretary,
Mysore Legislative Council.

A Bill to Validate Sagotra Marriages Among Hindus

BY SRI M. A. GOPALASWAMY IYENGAR, M.A., B.L.,
Member, Legislative Council, Bangalore.

WHEREAS it is expedient to recognize and place beyond doubt the validity of Sagotra Marriages among Hindus;

It is hereby enacted as follows:—

1. (i) This Act may be called the Mysore Hindu Sagotra Marriage Validation Act, 1948.

(ii) It shall come into force at once.

(iii) It extends to the whole of Mysore and applies also to all Hindu subjects of His Highnees the Maharaja without and beyond Mysore.

2. Notwithstanding any text, rule or interpretation of the Hindu Law or any custom or usage to the contrary no marriage between Hindus, which is otherwise valid, shall be, or be deemed at all times to have been, invalid by reason only of the fact that the parties thereto belong or at any time belonged to the same gotra or pravara.

Statement of Objects and Reasons.

The Bill is based on the Hindu Marriage Disabilities Removal Act (XXVIII of 1946) of the Dominion of India. It seeks to recognise and place beyond doubt the validity of Sagotra Marriages among Hindus.

In recent years many Sagotra Marriages have been contracted. The Bill is intended to operate retrospectively so as to validate also Sagotra Marriages which have already taken place.

A Bill to amend the Mysore District Boards Act, 1926

(By Sri M. A. Gopalaswami Iyengar, M.A., B.L.,
Member, Legislative Council, Bangalore.

Whereas it is expedient further to amend the Mysore District Boards Act, 1926; It is hereby enacted as follows :—

1. (i) This Act may be called the Mysore District Boards (Amendment) Act, 1948.

(ii) It shall come into force at once.

2. In sub-section (ii) of Section 14 of the Mysore District Boards Act, 1926, the words "and his decision shall be conclusive" shall be omitted, and the following sentences shall be inserted before the last sentence :—

"The Code of Civil Procedure shall, as far as possible, be followed in such inquiries. An appeal shall lie to the High Court from the order of the Judge, provided it is only on a point of law and is preferred within one month from the date of such order exclusive of the time requisite for obtaining a copy of the order."

Statement of Objects and Reasons.

The Mysore City Municipalities Act and the Mysore Town Municipalities Act provide for an appeal to the High Court against the order of the Election Judge. There is no such provision in the Mysore District Boards Act. The High Court of Mysore has held that no appeal or revision would lie to the High Court against any order passed by the Election Judge under Section 14 of the District Boards Act. The Bill seeks to bring the District Boards Act into conformity with the Mysore City Municipalities Act and the Mysore Town Municipalities Act in this respect and to amend Section 14 of the District Boards Act so as to provide for an appeal to the High Court.

Printed by the Superintendent at the Government Press Bangalore.